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5/12/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Russell et al.

Atty Docket: FOM-117.01

Serial No.: 09/846,899

Art Unit: 2857

Filed: May 1, 2001

Examiner: Wachsman, Hal D.

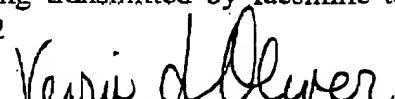
Title: Dynamic Performance Measures

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May 9, 2003

Date



Kevin A. Oliver

RESPONSE TO OFFICE ACTION

Commissioner for Patents
Washington, DC 20231

Dear Sir:

In response to the Office Action dated April 29, 2003, Applicants submit the following Amendments and Remarks.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper; however, in the event that additional extensions of time are necessary, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a).

The Commissioner is hereby authorized to credit any overpayment or charge any deficiencies to Deposit Account Number 06-1448, Reference FOM-117.01.



**FOLEY
HOAG LLP**
ATTORNEYS AT LAW

Fax

Date: May 9, 2003

Art Unit 2857/Examiner

To: H.D. Wachsmann Fax #: 703-308-7722 Confirm#: 703-305-9788

Client Matter#: 22639-11701

From: Kevin A. Oliver Sender's Number: 1241 User #: 9007

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Message

OFFICIAL COMMUNICATION

Please find enclosed herein a Response to Office Action for U.S.S.N. 09/846,899 (3 page) with a certificate of facsimile transmission dated 9 May 2003.

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